



## TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

June 5, 2014  
1:00 P.M.

651 Pine Street, Room 101, Martinez

Supervisor Mary N. Piepho, Chair  
Supervisor Candace Andersen, Vice Chair

<b>Agenda Items:</b>	Items may be taken out of order based on the business of the day and preference of the Committee
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1. Introductions
2. Public comment on any item under the jurisdiction of the Committee and not on this agenda (speakers may be limited to three minutes).
3. Administrative Items. (John Cunningham, Department of Conservation and Development)
4. CONSIDER approving the Record of Action for the May 1, 2014 Transportation, Water, and Infrastructure Committee meeting. Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record. (John Cunningham, Department of Conservation and Development)
5. CONSIDER Report on Local, State, and Federal Transportation Related Legislative Issues and take ACTION as appropriate. (John Cunningham, DCD)
6. RECEIVE letter from the Office of the State Fire Marshal (OSFM) in response to the Board of Supervisors request for a review of Kinder Morgan's Integrity Management Program (IMP) for pipelines in Contra Costa County and recommend that Public Works staff contact OSFM for a copy of the report after they complete their review of the Kinder Morgan pipelines. (Carrie Ricci, Public Works Department)
7. ACCEPT report on the implementation plan for the Appian Way Alternatives Analysis and Complete Streets Study, as requested by the Board of Supervisors at the December 3, 2013 meeting. (Nancy Wein, Public Works Department)
8. RECEIVE Long-Term Trash Reduction Plan and Quarterly Update, and PROVIDE direction to County Watershed Program Staff. (Cece Sellgren, Public Works Department)
9. RECEIVE update on the County's IPM program and take ACTION as appropriate. The IPM Coordinator will present a report on the County's IPM program.

10. CONSIDER reviewing the proposed implementation framework related to the regulation of taxicab services within the unincorporated area; PROVIDE feedback; and DIRECT staff to draft an Ordinance to implement the proposed implementation framework, including establishment of a fee for services rendered for processing new applications and renewals for a taxicab permit by the Office of the Sheriff. (Timothy Ewell, County Administrator's Office)
11. The next meeting is currently scheduled for Thursday, July 3, 2014.
12. Adjourn

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*The Transportation, Water & Infrastructure Committee (TWIC) will provide reasonable accommodations for persons with disabilities planning to attend TWIC meetings. Contact the staff person listed below at least 72 hours before the meeting.*

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*Any disclosable public records related to an open session item on a regular meeting agenda and distributed by the County to a majority of members of the TWIC less than 72 hours prior to that meeting are available for public inspection at the County Department of Conservation and Development, 30 Muir Road, Martinez during normal business hours.*

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*Public comment may be submitted via electronic mail on agenda items at least one full work day prior to the published meeting time.*

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For Additional Information Contact:

John Cunningham, Committee Staff  
Phone (925) 674-7833, Fax (925) 674-7250  
[john.cunningham@dcd.cccounty.us](mailto:john.cunningham@dcd.cccounty.us)

**Glossary of Acronyms, Abbreviations, and other Terms (in alphabetical order):** Contra Costa County has a policy of making limited use of acronyms, abbreviations, and industry-specific language in meetings of its Board of Supervisors and Committees. Following is a list of commonly used abbreviations that may appear in presentations and written materials at meetings of the Transportation, Water and Infrastructure Committee:

AB Assembly Bill	HOT High-Occupancy/Toll
ABAG Association of Bay Area Governments	HOV High-Occupancy-Vehicle
ACA Assembly Constitutional Amendment	HSD Contra Costa County Health Services Department
ADA Americans with Disabilities Act of 1990	HUD United States Department of Housing and Urban Development
ALUC Airport Land Use Commission	IPM Integrated Pest Management
AOB Area of Benefit	ISO Industrial Safety Ordinance
BAAQMD Bay Area Air Quality Management District	JPA/JEPA Joint (Exercise of) Powers Authority or Agreement
BART Bay Area Rapid Transit District	Lamorinda Lafayette-Moraga-Orinda Area
BATA Bay Area Toll Authority	LAFCo Local Agency Formation Commission
BCDC Bay Conservation & Development Commission	LCC League of California Cities
BDCP Bay-Delta Conservation Plan	LTMS Long-Term Management Strategy
BGO Better Government Ordinance (Contra Costa County)	MAC Municipal Advisory Council
BOS Board of Supervisors	MAF Million Acre Feet (of water)
CALTRANS California Department of Transportation	MBE Minority Business Enterprise
CalWIN California Works Information Network	MOA Memorandum of Agreement
CalWORKS California Work Opportunity and Responsibility to Kids	MOE Maintenance of Effort
CAER Community Awareness Emergency Response	MOU Memorandum of Understanding
CAO County Administrative Officer or Office	MTC Metropolitan Transportation Commission
CCTA Contra Costa Transportation Authority	NACo National Association of Counties
CCWD Contra Costa Water District	NEPA National Environmental Protection Act
CDBG Community Development Block Grant	OES-EOC Office of Emergency Services-Emergency Operations Center
CEQA California Environmental Quality Act	PDA Priority Development Area
CFS Cubic Feet per Second (of water)	PWD Contra Costa County Public Works Department
CPI Consumer Price Index	RCRC Regional Council of Rural Counties
CSA County Service Area	RDA Redevelopment Agency or Area
CSAC California State Association of Counties	RFI Request For Information
CTC California Transportation Commission	RFP Request For Proposals
DCC Delta Counties Coalition	RFQ Request For Qualifications
DCD Contra Costa County Dept. of Conservation & Development	SB Senate Bill
DPC Delta Protection Commission	SBE Small Business Enterprise
DSC Delta Stewardship Council	SR2S Safe Routes to Schools
DWR California Department of Water Resources	STIP State Transportation Improvement Program
EBMUD East Bay Municipal Utility District	SWAT Southwest Area Transportation Committee
EIR Environmental Impact Report (a state requirement)	TRANSPAC Transportation Partnership & Cooperation (Central)
EIS Environmental Impact Statement (a federal requirement)	TRANSPLAN Transportation Planning Committee (East County)
EPA Environmental Protection Agency	TWIC Transportation, Water and Infrastructure Committee
FAA Federal Aviation Administration	USACE United States Army Corps of Engineers
FEMA Federal Emergency Management Agency	WBE Women-Owned Business Enterprise
FTE Full Time Equivalent	WCCTAC West Contra Costa Transportation Advisory Committee
FY Fiscal Year	WETA Water Emergency Transportation Authority
GHAD Geologic Hazard Abatement District	WRDA Water Resources Development Act
GIS Geographic Information System	
HBRR Highway Bridge Replacement and Rehabilitation	



# Contra Costa County Board of Supervisors

## Subcommittee Report

TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

3.

**Meeting Date:** 06/05/2014

**Subject:** ADMINISTRATIVE ITEMS

**Submitted For:** Catherine Kutsuris, Conservation and Development Director

**Department:** Conservation & Development

**Referral No.:**

**Referral Name:**

**Presenter:** John Cunningham, DCD

**Contact:**

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**Referral History:**

Administrative Items. (John Cunningham, Department of Conservation and Development)

**Referral Update:**

**Recommendation(s)/Next Step(s):**

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### **Attachments**

*No file(s) attached.*

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

4.

**Meeting Date:** 06/05/2014

**Subject:** CONSIDER approving the Record of Action for the May 1, 2014 Transportation, Water, and Infrastructure Committee meeting.

**Submitted For:** Catherine Kutsuris, Conservation and Development Director

**Department:** Conservation & Development

**Referral No.:** N/A

**Referral Name:** N/A

**Presenter:** John Cunningham, DCD

**Contact:** John Cunningham, (925)  
674-7833

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#### **Referral History:**

N/A

#### **Referral Update:**

County Ordinance (Better Government Ordinance 95-6, Article 25-205[d]) requires that each County body keep a record of its meetings. Though the record need not be verbatim, it must accurately reflect the agenda and the decisions made in the meeting.

Any handouts or printed copies of testimony distributed at the meeting will be attached to this meeting record.

Links to the agenda and minutes will be available at the TWI Committee web page:

[www.co.contra-costa.ca.us/twic](http://www.co.contra-costa.ca.us/twic)

#### **Recommendation(s)/Next Step(s):**

Staff recommends approval of the attached Record of Action for the May 1, 2014 Committee meeting with any necessary corrections.

#### **Fiscal Impact (if any):**

None.

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#### **Attachments**

5/1/14 TWIC Meeting Record

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

5.

**Meeting Date:** 06/05/2014

**Subject:** CONSIDER Report on Local, State, and Federal Transportation Related Legislative Issues and take ACTION as appropriate.

**Submitted For:** Catherine Kutsuris, Conservation and Development Director

**Department:** Conservation & Development

**Referral No.:** 1

**Referral Name:** Review legislative matters on transportation, water, and infrastructure.

**Presenter:** John Cunningham, DCD

**Contact:** John Cunningham (925)  
674-7833

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#### **Referral History:**

This is a standing item on the Transportation, Water, and Infrastructure Committee referral list and agenda.

#### **Referral Update:**

In developing items to bring forward for the Committees consideration, staff considers direction from the Committee and the Board of Supervisors, the County's adopted Legislative Platforms, consults with our legislative advocates, and coordinates with partner agencies and organizations. At this time staff is highlighting the items below for the Committees consideration and action:

#### **LOCAL**

**Altamont Corridor Express Update:** See attached presentation (ACEforward.pdf) from the San Joaquin Regional Rail Commission on the Altamont Corridor Express (ACE) modernization effort, "ACEforward". Staff will be present to discuss the effort and provide an overview.

Also, see attached (Local - Items of Interest.pdf) for local items of interest to the Committee.

#### **STATE**

**Tracked Bills:** Attached to this report is **1)** a complete list of bills currently being tracked (Leg Report AsOfMay29-1500.pdf) and **2)** a table of bills that the TWI Committee and/or the BOS has either discussed or taken a position (Positions on Legislation of Interest - 2014.pdf) that includes positions of other entities where available.

Mark Watts and/or County staff will provide additional, verbal updates at the Committee meeting on bills of interest.

School Siting: At the time this report was submitted, a tentative date to meet with our legislative delegation has been set. The Committee should discuss an approach and agenda for the meeting. Recent communication on this issue is included in the attached (Recent BOS Communication ReTransLeg.pdf).

Mark Watts and/or County staff will provide additional, verbal updates at the Committee meeting.

## **FEDERAL**

GROW AMERICA: At the May TWI Committee meeting there was a request for a review of the GROW AMERICA (Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America) Act, the federal transportation funding authorization. Existing authorization under the Moving Ahead for Progress in the 21st Century Act (MAP-21) expires on October 1, 2014. Staff is working with our legislative advocate to bring a report to the June 5th Committee meeting.

For background purposes please find attached to this staff report (June 2014 TWI GROW AMERICA Docs.pdf) the following:

- GROW AMERICA Summary Sheets from the Department of Transportation
- Metropolitan Transportation Commission (MTC) Summary Highlighting Policy Changes
- California State Association of Counties (CSAC) Reauthorization Ask & Letter to Congress Re: Reauthorization and Bridges
- National Association of Counties (NACO) Summary, "Senate Advances Map-21 Reauthorization Act, Counties should be aware..."

## **Recommendation(s)/Next Step(s):**

CONSIDER Report on Local, State, and Federal Transportation Related Legislative Issues and take ACTION as appropriate.

## **Fiscal Impact (if any):**

No fiscal impact.

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## **Attachments**

ACEforward Rail Presentation

Local Leg Items of Interest

Leg Report as of May 29, 4:00PM

Positions on Legislation of Interest - 2014

Recent BOS Communication ReTransLeg.pdf

June 2014 TWI GROW AMERICA Docs

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

6.

**Meeting Date:** 06/05/2014  
**Subject:** Kinder Morgan's Integrity Management Program  
**Submitted For:** Julia R. Bueren, Public Works Director/Chief Engineer  
**Department:** Public Works  
**Referral No.:** N/A  
**Referral Name:** N/A  
**Presenter:** Carrie Ricci  
**Contact:** Carrie Ricci,  
925-313-2235

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#### **Referral History:**

In February 2014 TWIC received a report regarding Kinder Morgan's Integrity Management Program (IMP) and recommended forwarding a letter to the BOS to approve sending a letter to the State Fire Marshal requesting a review of Kinder Morgan's IMP.

#### **Referral Update:**

The BOS approved sending the letter at the March 11, 2014 BOS meeting and staff will give an update at this meeting.

#### **Recommendation(s)/Next Step(s):**

Receive letter from the Office of the State Fire Marshal

#### **Fiscal Impact (if any):**

None

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#### **Attachments**

OSFM response

OSFM memo

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

7.

**Meeting Date:** 06/05/2014

**Subject:** Report on the implementation plan for the Appian Way Alternatives Analysis and Complete Streets Study

**Submitted For:** Julia R. Bueren, Public Works Director/Chief Engineer

**Department:** Public Works

**Referral No.:** N/A

**Referral Name:** ACCEPT report on the implementation plan for the Appian Way Alternatives Analysis and Complete Streets Study, as requested by the Board of Supervisors at the December 3, 2013 meeting.

**Presenter:** Nancy Wein, (925) 313-2275      **Contact:** Nancy Wein, (925) 313-2275

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#### **Referral History:**

In June 2011, the Board of Supervisors (Board) approved the Downtown El Sobrante General Plan Amendment, to revise the Land Use and Transportation-Circulation elements in the Contra Costa County General Plan to revitalize the commercial core and downtown areas. The amendment included a proposal to remove all references to an ultimate 4-lane roadway configuration for Appian Way extending from San Pablo Dam Road to the Pinole city limits near Interstate 80, and, instead, retain the existing 2-lane roadway configuration as the planned roadway for Appian Way. The City of Pinole had different plans for the ultimate design of this section of Appian Way (Pinole wanted Appian Way widened to 4-lanes in the future, while the County wanted to maintain the existing 2-lanes plus center left turn pocket). In response, the Downtown El Sobrante General Plan Amendment included a policy that directed the County to perform a feasibility study of the ultimate 4-lane road configuration for this segment of Appian Way to compare it against retaining the current 2-lane roadway (plus center left-turn pocket) configuration.

As a result, the County and the City of Pinole participated in a study conducted by the Contra Costa Transportation Authority (CCTA) to develop a consistent approach to the ultimate design of the roadway. The City of Richmond was invited to participate due to the proximity of Valley View Road to the study area. Refer to the attached study for more detail.

The study evaluated several alternatives described below.

- Alternative A: A standard five-lane cross section along the entire corridor (consistent with existing County General Plan policy).

- Alternative B: Widening Appian Way from three to five lanes between Michael Drive and Fulton Way only, in order to improve traffic flow through roadway corridor and maintain minimum level of service.
- Alternative C or "Complete Streets Alternative": Pedestrian, bicycle and transit improvements as well as intersection improvements with an emphasis on enhancing the quality of the multi-modal environment. The current vehicle lane cross-section remains (i.e., no vehicle lane widening).
- Appian Way/Valley View Road Intersection Alternative: The basic geometrics of two intersection improvement options were evaluated – a T-intersection and roundabout design – to maintain adequate traffic performance and enhance the bicycle and pedestrian environment at the intersection. Both options will require additional traffic and operational analysis before either can be considered for implementation.

The Study recommended "Alternative C," or the complete streets alternative, concluding that it leverages the greatest number of community benefits at a cost comparable to or less than that of widening Appian Way to five-lanes. The Department of Conservation and Development (DCD) agreed with the study recommendation as it was consistent with several goals of the adopted Downtown El Sobrante General Plan Amendment, which includes: a) Implementing the recommendations from the El Sobrante Municipal Advisory Council for Downtown El Sobrante; b) Supporting the Board of Supervisors' recent directives to promote a "healthy" built environment in the unincorporated areas of the County, which encourages infill development (compact and mixed use) and other changes to the built environment that provide healthy lifestyle choices for residents; and, c) Implementing the principles of "Complete Streets," which is consistent with County General Plan policies adopted by the Board of Supervisors in April 2008. Complete Streets policies recognize that streets serve many users (i.e., bicyclists, pedestrians) not just vehicles, and that the development of the local roadway system needs to accommodate multiple modes of travel.

In December 2013, the Board approved a follow-up General Plan Amendment for the El Sobrante area to reaffirm modifications to the Roadway Network Map, to change Appian Way from a 4-lane roadway to a 2-lane configuration with a middle turn lane from Valley View Road to the Pinole city limits. At the same meeting, the Board approved the "Complete Streets Alternative," and requested staff to report back within 6 months with a plan for its implementation. The study is attached for reference.

### **Referral Update:**

As requested by the Board, staff has developed a plan to implement the complete streets alternative for the section of Appian Way from the Pinole city limits near Interstate 80 to Valley View Road in the unincorporated area. In addition to the portion of Appian Way included in the study, staff recommends that the steps below are also completed for the section of Appian Way from Valley View to San Pablo Dam Road to provide a comprehensive design for the entire length of Appian Way in the unincorporated area.

A meeting was recently held with Supervisor Gioia to discuss the overall plan. Supervisor Gioia is in general agreement with the proposal and has requested the Public Works Department to work closely with DCD and the community to also help develop an overall strategy for San Pablo Dam Road from Valley View Road to El Portal Drive, building on the work and efforts done to date for the “San Pablo Dam Road Walkability Project.” This will help to ensure that any area improvements are consistent and complementary in the El Sobrante area.

**Recommendation(s)/Next Step(s):**

It is proposed to further develop the complete streets alternative for Appian Way by performing the steps below, with the goal of developing the most cost-effective, environmentally sensitive, community-based design. The timeline indicated under each step is approximate.

1. Partner with the City of Pinole (July/August 2014): A portion of Appian Way evaluated in the above study is within the City of Pinole. Staff will meet with city staff to discuss the project and develop ways to collaboratively move the project forward within the city limits in conjunction with the portion in the unincorporated area.

2. Preliminary Engineering (May-December 2014): This work will take the concept developed in the study to the next level with the end product being a set of preliminary plans.

The work will include field visits to determine current site conditions (topography, existing improvements, visible utilities, drainage considerations etc...), and engineering to develop a set of preliminary plans. The plans will detail the number of lanes and widths, horizontal alignment, geometric design of sidewalk, curb and gutter, bicycle lanes, storm water treatment areas and ADA compliant curb ramp improvements.

The plans will also identify existing and proposed right of way and concept areas for landscaping with associated maintenance costs, in addition to locations for street furniture such as benches and bus shelters. The recent themes for landscaping and street furniture developed as part of the San Pablo Dam Road Walkability Project will be considered and included where appropriate.

3. Appian Way/Valley View Road intersection: Two options will be investigated (May - September 2014).

A. Modification of existing signalized intersection - An intersection layout will be developed identifying the number of lanes and lane widths for existing and future year traffic volumes based on the proposed layout in the study.

B. A roundabout operational analysis and concept design will be prepared of the intersection for existing and design year traffic volumes to determine roundabout lane configurations.

4. Community outreach (September/October 2014): An open house will be held with residents, property owners and businesses along and adjacent to Appian Way to present the first version of the preliminary plans and seek input on the proposed improvements, as well as alternatives at the Appian Way intersection with Valley View Road.

In addition, staff will attend meetings with the El Sobrante Municipal Advisory Council in the same time frame.

5. Based on community input, the preliminary plans will be refined and cost estimates prepared of the proposed improvements, with the goal to develop the most cost-effective, environmentally sensitive, community-based design. Staff will evaluate ways to phase the project. Additional community outreach is anticipated to occur at this stage (Fall/Winter 2014).

6. Funding (2015 plus): Staff will seek opportunities for funding the next phases of the project using a likely combination of County Roadway Funds, CCTA measure J Program Funds and other regional and state transportation funding grants.

**Fiscal Impact (if any):**

Initial planning efforts will be funded with County Road Funds. Implementation of the Appian Way improvements will eventually be funded through a likely combination of County Roadway Funds, CCTA Measure J Program Funds, and other regional and state transportation funding grants.

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**Attachments**

Appian Way Study

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

8.

**Meeting Date:** 06/05/2014

**Subject:** Contra Costa County Long-Term Trash Reduction Plan Quarterly Report

**Submitted For:** Julia R. Bueren, Public Works Director/Chief Engineer

**Department:** Public Works

**Referral No.:** 7

**Referral Name:** RECEIVE Long-Term Trash Reduction Plan and Quarterly Update, and PROVIDE direction to County Watershed Program Staff.

**Presenter:** Cece Sellgren, (925) 313-2296

**Contact:** Cece Sellgren, (925)  
313-2296

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#### **Referral History:**

Cece Sellgren presented the draft Long-Term Trash Management Plan (Trash Plan) for Contra Costa County to the Transportation, Water & Infrastructure Committee (TWI Committee) on March 6, 2014. The TWI Committee received the presentation and authorized the County Watershed Program (CWP) staff to proceed with outreach to affected communities and implement elements of the Trash Plan.

#### **Referral Update:**

Staff at the CWP has utilized their contractor, Debris Tech, to pick up litter in several neighborhoods with high and very high trash rates and several County roads in order to demonstrate achievement of a 40% trash reduction by the July 2014 deadline. CWP staff has initiated protocols for monitoring and assessment of trash rates within these neighborhoods and roads. They have shared these protocols with other Contra Costa cities.

CWP staff has met with staff from the departments of Conservation & Development, Health Services, Public Works, Sheriff's, and the Housing Authority, and with the staff from Supervisor Glover's office to better understand County policies, procedures and practices related to litter, trash and illegal dumping.

CWP staff has produced a draft flow chart for Department responsibility and action timelines associated with illegal dumping and illicit discharge and has received a draft report from Larry Walker and Associates on the costs associated with trash reduction activities.

Staff is organizing meetings with West Contra Costa Unified and Mount Diablo Unified School Districts in conjunction with relevant cities. Staff has also attended a workshop provided by other municipalities in the South Bay to learn their innovative strategies and initiatives.

**Recommendation(s)/Next Step(s):**

The County Stormwater Manager recommends:

- County Watershed Program staff will continue to meet with County Departments and other agencies, and
- Continue to refine estimated costs of trash reduction strategies.
- Meet with staff from Supervisor's Gioia's office.
- Meet with the Municipal Advisory Councils of the five selected communities to present the Trash Plan requirements and proposed approaches to meet them.
- Meet with Executive Directors of Chambers of Commerce, service organizations, faith communities and citizen leaders in each of five selected communities.
- Adopt RecycleMore's Plastic Bag Ordinance to create plastic bag ordinance parity in West Contra Costa County.
- Begin discussions of who will fund which trash reduction strategy.
- Return to the TWI Committee in September with the next quarterly report.

**Fiscal Impact (if any):**

The fiscal impact has not yet been determined.

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**Attachments**

LTTRP Progress Report

Figure 1

Figure 2

Figure 3

Figure 4

Figure 5

Figure 6

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

9.

**Meeting Date:** 06/05/2014

**Subject:** RECEIVE update on the County's IPM program and take ACTION as appropriate.

**Department:** Conservation & Development

**Referral No.:** 8

**Referral Name:** Monitor the implementation of the Integrated Pest Management policy

**Presenter:** Tanya Drlik, IPM Coordinator

**Contact:** Tanya Drlik,  
925-335-3214

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#### **Referral History:**

The TWI Committee has asked the Integrated Pest Management Coordinator to update the Committee quarterly on the County's integrated pest management program.

#### **Referral Update:**

The Integrated Pest Management Annual Report was presented to TWI in December. This is the second quarterly update of 2014 (see attached report).

#### **Recommendation(s)/Next Step(s):**

Accept report

#### **Fiscal Impact (if any):**

None

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#### **Attachments**

TWIC Memo

County Staff Responses

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# Contra Costa County Board of Supervisors

## Subcommittee Report

### TRANSPORTATION, WATER & INFRASTRUCTURE COMMITTEE

10.

**Meeting Date:** 06/05/2014

**Subject:** Regulatory Structure for Taxicab Permitting

**Submitted For:** TRANSPORTATION, WATER & INFRASTRUCTURE  
COMMITTEE,

**Department:** Conservation & Development

**Referral No.:** 18

**Referral Name:** Taxicab Ordinance Review

**Presenter:** Timothy M. Ewell

**Contact:** Timothy M. Ewell, (925)  
335-1036

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### **Referral History:**

On September 5, 2013, the Transportation, Water and Infrastructure Committee received a staff report (Attachment A) regarding the status of a regulatory structure for taxicab permitting within the unincorporated area, pursuant to Government Code § 53075.5 (the "Statute"). At that time, the Committee directed staff to work with the County Administrator's Office (CAO) to:

1. Obtain advice from County Counsel regarding the County's potential risk and exposure for not having a taxicab permitting ordinance or resolution pursuant to the California Code.
2. Coordinate with the Office of the Sheriff to identify resources and develop a budget for codifying and administering a taxicab permitting ordinance or resolution.

### **Referral Update:**

#### **Staff Analysis**

On November 27, 1962, the Board of Supervisors adopted Ordinance No. 1684 (Attachment B), which established a regulatory structure for taxicab drivers operating within the unincorporated area of the County. Taxicab permits were issued by the County Sheriff after submission of an application and a fee. On May 17, 1983, the Board of Supervisors adopted Ordinance No. 83-18 (Attachment C), which repealed in full the existing taxicab permitting ordinance. It is unclear why the taxicab permitting ordinance was repealed at that time.

After reviewing the current Statute, it has been determined that the County is required to regulate taxicab service for the unincorporated area regardless of necessity. The CAO requested the California State Association of Counties (CSAC) conduct a brief survey of California counties to determine how existing regulatory structures are implemented in unincorporated areas across the State (Attachment D). In brief, five out of seven responding counties identified the County Sheriff's Office as the lead agency for purposes of implementing the Statute. Of the two counties that did not identify the Sheriff's Office as the lead agency, one indicated that a countywide transportation authority was the lead agency and one did not have a regulatory structure in place in accordance with the Statute.

To determine the scope of potential taxicab operators with businesses established in the county unincorporated area,



the CAO requested that the Treasurer-Tax Collector's office search for active taxi related business licenses. That query resulted in five active licenses, two of which are located at the same address. Of the five active licenses, two appear to have a business address located in the unincorporated area – one in Pacheco and one in Bay Point.

### Proposed Implementation Framework

After reviewing the Statute and the active business licenses within the County, CAO worked with staff from the Sheriff's Office and Treasurer-Tax Collector to structure an implementation framework to bring the County into compliance with Statute at no additional county cost. Below is an outline of the proposed framework:

#### **Treasurer-Tax Collector**

- I. Issues general business license to taxi companies operating in the unincorporated area.
- II. Notifies applicants of the need to acquire a taxicab permit in jurisdiction where business is located.

#### **Sheriff's Office**

##### **I. Issues Permits to new taxicab operators and businesses located in the County unincorporated area**

- a. Applicant provides valid business license to operate in the unincorporated area
- b. Sheriff facilitates referrals for the California Department of Justice Live Scan and drug testing for permit applicants with businesses established in the unincorporated area, at cost of the applicant.
- c. Applicant provides proof of taxicab vehicle inspection conducted by private entity at time of application for a permit, at cost of the applicant.
- d. Sheriff to establish a fee for reviewing new applications and annual renewals as part of the Taxicab ordinance

##### **II. Existing taxicab operators and businesses permitted in other jurisdictions within Contra Costa County doing business in an unincorporated area.**

- a. Ordinance to allow a permit from any other jurisdiction within Contra Costa County to operate a taxicab to be accepted with no further action required by Sheriff's Office.
- b. Business owner are still responsible for acquiring a business license to operate in the unincorporated area from Treasurer Tax Collector.

#### **Recommendation(s)/Next Step(s):**

I. REVIEW the proposed implementation framework related to the regulation of taxicab services within the unincorporated area.

II. PROVIDE feedback to staff regarding the proposed implementation framework.

III. DIRECT staff to begin drafting an ordinance to implement the proposed implementation framework, including establishment of a fee for services rendered in processing new applications and renewals for a taxicab permit by the Office of the Sheriff.

CONSIDER reviewing the proposed implementation framework related to the regulation of taxicab services within the unincorporated area; PROVIDE feedback; and DIRECT staff to draft an Ordinance to implement the proposed implementation framework, including establishment of a fee for services rendered for processing new applications

and renewals for a taxicab permit by the Office of the Sheriff. (Timothy Ewell, County Administrator's Office)

Attachment A: September 5, 2013, TWIC Staff Report

Attachment B: Ordinance No. 1684 "Taxicab Drivers"

Attachment C: Ordinance No. 83-13 – Taxicab Ordinance Repealed

Attachment D: Taxicab Ordinance Survey Results – CSAC, March 2014

**Fiscal Impact (if any):**

No fiscal impact.

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**Attachments**

Taxicab Ordinance Attachment A

Ordinance #1684 Attachment B

Ordinance #83-18 Attachment C

Taxicab Ordinance Survey Results 03/14 Attachment D

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